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09/818,303	03/27/2001	Nevenka Dimitrova	US010079	9218

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EXAMINER	
SALCE, JASON P	

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/818,303	DIMITROVA ET AL.	
	Examiner	Art Unit	
	Jason P Salce	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-59 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-59 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 3/01 and 9/03.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

1. Claim 14 recites the limitation "dynamic video content" in Lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-11, 13-25, 27-29, 31-28, 40-52 and 54-59 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Reimer et al. (U.S. Patent No. 5,553,221).

Referring to claim 1, Reimer discloses providing video query processing software (see Column 8, Lines 54-59 for software 210 that enables the processor 204 perform functions described herein, and Column 16, Lines 26-28 for the user being able to send a query while viewing/interacting with a movie). Therefore, the user is provided video query processing software at the user device 106.

Reimer also discloses providing video content (see Column 7, Lines 58-63 for the user at the user device 106 receiving foundation information and Column 7, Lines 2-6 for the foundation information being movie (video) data).

Reimer also discloses dynamically linking the software to the video content (see Column 16, Lines 26-28 for the user at the user device 106 interacting with the video by sending a query at anytime while viewing and/or interacting with a movie (video content)). Note that the specification of the instant application defines "dynamically linked" as being able to interact with the video content and associated audio and text, in real time. Therefore, since the user can interact with the video by sending a query, the user device's (106) software (210) is dynamically linked to the video content.

Reimer also discloses receiving by the software a query keyed to a segment of the video content (see Column 16, Lines 28-41 for pausing the video content to a specific frame of the movie and the user indicating a question about the movie related to the movie, scene, cut and/or frame that is currently being displayed).

Reimer also discloses determining by the software an answer to the query (see Column 18, Lines 1-2 for the user providing a query asking "Who is this?" and Column 18, Lines 65-67 and Column 19, Lines 1-3 for sending an answer to the question asked by the user).

Referring to claim 2, Reimer discloses that the software is within a video processing system (see Column 7, Lines 62-63 for the user device 106 presenting foundation information, where the foundation information is a movie (see Column 7, Lines 2-3 for the foundation information being video content)). Therefore, since the user device 106 can receive and present a movie, the user device 106 is a video processing system.

Referring to claim 4, the applicant's specification of the instant application defines a service mode to be when the video processing system is operating with an external database, which has access to a database other than the Internet (e.g. access to a database of a remote server) (see the last six lines of Paragraph 0026).

Reimer discloses that the foundation information database is a remote database (see Column 7, Lines 8-11 for the foundation information database 112 being a file server and Figure 1 for the user device 106 communicating with the foundation information database 112 through a communication medium 124, and is therefore a remote server). Therefore, the video processing system is operating in a service mode.

Referring to claim 5, Reimer discloses providing video content includes providing video content in real-time (see Column 16, Lines 26-28 for allowing a user to send a query to the presentation and control component 104 at any time while viewing the movie). Therefore, since the user may send a query while viewing the movie, the video is provided in real-time. Also note Column 6, Line 67 and Column 7, Line 1 for providing foundation information (video content) on-demand. Also note Paragraph 0048 for recorded video content simulating real-time viewing (note that the video content (movies) are recorded video content in the rejection of claim 6 below).

Referring to claim 6, Reimer discloses that the foundation information, stored in the foundation information database 112 (see Column 7, Lines 10-11) is movie data (video content) and can be provided to a user on-demand (see Column 6, Line 67 and Column 7, Line 1). Therefore, since the movie is stored in foundation information

database 112 and provided when a user requests access, the information in inherently stored.

Referring to claim 7, Reimer discloses receiving information by the software (see again Column 18, Lines 65-67 and Column 19, Lines 1-3 for receiving information at the user device 106, which contains the software that operates the user device (see the rejection of claim 1)), wherein the information is derived from a database (see Column 18, Lines 45-58 for deriving actors names from an Actor In Take Table 1002 that relate to the user's query), and wherein the information answers the query (see Column 18, Lines 65-67 and Column 19, Lines 1-3 for the information being the actors stored in the table, which is the answer to the user query).

Referring to claim 8, Reimer discloses receiving data from the database, wherein the data includes the information (see Column 20, Lines 22-26 for receiving data equal to the "Director" section of the table, where the data includes the data sought by the user query).

Reimer also discloses extracting the information from the data (see Column 20, Lines 27-29 for extracting the name of the director from the person column of the row).

Referring to claim 9, Reimer discloses finding data in the database, wherein the data includes the information and extracting the information from the data at the database (see Column 18, Lines 45-58 for retrieving information from data in the Actor In Table 1002 database). The examiner notes that in order to retrieve the data (which includes the information) in the database, it must inherently find the proper data in order to extract (retrieve) the data corresponding to the user's query.

Reimer also discloses sending the information to the software (see Column 18, Lines 65-67 and Column 19, Lines 1-3 for sending the extracted information to the user device 106, which contains the software used to control the user device 106 (see the rejection of claim 1)).

Referring to claim 10, Reimer discloses identifying the database by a pointer located in a search site descriptions repository (see Column 7, Lines 21-30 for an index interface component 118, which controls access to index information 310 in an index information database 122 that references and organizes the data stored in the foundation information database 112).

Referring to claim 11, Reimer discloses that the software is within a video processing system (see the rejection of claim 2), and wherein the database is external to the video processing system (see Figure 1 for the user device 106 being external to the index information database 122 and communicate through a communications medium 124, which can be a wide area network (see Column 6, Lines 47-48)).

Referring to claim 13, Reimer discloses that the database is coupled to a remote server (see Index information database 122 connected to presentation and control component(s) 104 remotely (through communications network 124) in Figure 1).

Referring to claim 14, Reimer discloses that providing video content includes providing the dynamic video content to a user of the video query processing method (see again Column 7, Lines 58-63 for providing the dynamic video content), and wherein receiving the query includes communicating the query to the software by the user (see Column 7, Lines 52-53 for the user devices 106 providing the queries).

Referring to claim 15, Reimer discloses communicating the answer to the user (see Column 18, Lines 65-67 and Column 19, Lines 1-3).

Referring to claim 16, Reimer discloses receiving by the software, information derived from each database of a plurality of databases (see Figure 11 for accessing multiple tables (databases) and presenting the queried information to the user), wherein each database is external to the video processing system (see Figure 1, where the Index Interface Component(s) 120 are external to the Index Information Database(s) 112 and Column 7, Lines 20-30 and Column 6, Lines 43-56) and wherein the information derived from each database partially answers the query (see Column 19, Lines 55-67 and Column 20, Lines 1-37 for the system answering the user's query, "What Other Films Has This Director Worked On?", which accesses multiple databases (1202-1216), where each database partially answers the query (see Column 20, Lines 5-9, 18-21 and 22-33 for each database pulling certain information (which therefore inherently partially answers the question) to display to the user)).

Reimer also discloses merging the information derived from each database to arrive at the answer (see Column 20, Lines 33-37 for displaying the results derived from the information pulled from databases 1202-1216 previously discussed).

Referring to claim 17, see the rejection of claim 16. Note that the data received from each database inherently includes the information. For example, note Column 20, Lines 2-3 for person data (the data) being received from the One Movie Credit database 1202, which contains person information.

Referring to claim 18, see the rejection of claims 16-17. Further note that the extracting is executed at each database (see again Column 20, Lines 22-34 for exacting the data from the database). Further note that Reimer teaches sending the information derived from each database to the software (see Column 20, Lines 34-37 for sending the information to the user device, which contains the query software that allows a user to make a query).

Referring to claim 19, Reimer discloses that the query received by the software is a canned (pre-stored) query (see Column 16, Lines 43-46 for the user selecting the query from a menu, thereby providing a list of questions that are already stored in a list for presentation to the user).

Referring to claim 20, Reimer discloses that the canned query is a function of a genre of the video (see Column 16, Lines 38-39 for the user's query being, "What other movies have script lines similar to what was just said?", therefore providing a query that requests other movies that relate to the type of movie (genre) the viewer is watching).

Referring to claim 21, Reimer discloses that the query received by the software is an unbounded query (see Column 16, Lines 62-65 for asking the question "Who is this person?", which could pertain to multiple actors on a screen) and further deriving the at least one canned query from the unbounded query (see Column 16, Lines 65-67 for deriving the question, "Who is the character in this scene?").

Referring to claim 22, Reimer discloses that the query received by the software is in indefinite form, and further comprising recasting the received query in definite form (see the rejection of claim 21 for deriving a canned query from an unbounded query,

where the indefinite for of the question is "Who is this person?" and recasting the question to a definite, more precise question, "Who is the character in this scene?").

Referring to claim 23, Reimer discloses receiving by the software a program-level question in relation to the video content (see Column 16, Line 36 for the question, "What other movies has the director done?).

Reimer also discloses ascertaining by the software an answer to the question (see Column 20, Lines 35-37).

Referring to claim 24, Reimer discloses extracting features from the video content (see Column 10, Lines 65-67 and Column 11, Lines 1-19 for capturing the source information (video content) and extracting features from the source information into the foundation database 306 (Figure 3) and processes index information from the extracted features at Column 11, Lines 32-34 and Lines 53-59), wherein the ascertaining includes utilizing the extracted features to answer the question (see Column 14, Lines 51-55 for using the extracted data to answer user queries).

Referring to claim 25, Reimer discloses storing the extracted features in transient memory prior to utilizing the extracted features (see Column 9, Lines 40-49) to answer the question (see the rejection of claim 24).

Referring to claim 27, Reimer disclose that extracting features from the video content includes extracting features from the video program of the video content (see Column 10, Lines 65-67 for extracting the source information 302 and Column 9, Lines 50-51 for the source information 302 being a movie (video program)).

Referring to claims 28-29, 31-38, 40-52 and 54, see the rejection of claims 1-2, 4-11, 13-25 and 27, respectively.

Referring to claim 55, see the rejection of claim 1. Also note that Reimer teaches a processor (Figure 2, 204), memory structure coupled to the processor (primary memory 208 coupled to the processor 204 though bus 206 in Figure 2), a local database coupled to the processor (secondary memory 214 coupled to the processor 204 through bus 206 in Figure 2), a video input device coupled to the processor and the local database (see Column 6, Lines 36-37 for a television monitor, which would inherently be coupled to the processor 204 and local database 214 in order to display the query answers to a user disclosed by Reimer), a user input device coupled to the processor (see Column 6, lines 38-39 for a keyboard, which is inherently coupled to the processor in order to enter the user's query) and an output device coupled to the processor (see Column 6, lines 36-37 for a STB which is inherently coupled to the processor in order to process the answer to the query and display the query to the user).

Referring to claim 56, see the rejection of claim 16.

Referring to claim 57, Reimer discloses a video source (see Source Information 302 in Figures 3-4), wherein the video processing architecture is configured to enable the video source to transmit the video content to the video processing system (see Figure 1 for the Foundation Information Database(s) 112 being coupled to the user devices 106 (and devices 104, 108, 114, 116, 118 and 122) through communication

medium 124, therefore the system would inherently transmit any source information to the proper components to process the video content in various ways).

Referring to claims 58-59, see the rejection of claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 3, 12, 30 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reimer et al. (U.S. Patent No. 5,553,221) in view of Wang et al. (U.S. Patent No. 6,766,320).

Referring to claim 3, the applicant's specification of the instant application defines "stand-alone mode" as the video processing system operating with the external database 24 limited to the Internet (see the last six lines of Paragraph 0026).

Reimer discloses a communications medium 124 in Figure 1, which can be a wide area network (see Column 6, Lines 46-50), but fails to specifically teach the use of the Internet.

Wang discloses a user query system (see Column 4, Lines 45-47) in a video processing system (see Column 4, Lines 54-55 for the client device 102 being a set-top box), and that the user query system specifically uses the Internet (see Column 4, Line 47).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the communications medium 124 in the video query processing system of Figure 1, as taught by Reimer, using the Internet, as taught by Wang, for the purpose of improving the user interface (by providing an Internet enabled interface) of search engines to better capture the user's intention as a way to provide higher quality search results (see Column 2, Lines 54-56 of Wang).

Referring to claim 12, see the rejection of claim 3.

Referring to claims 30 and 29, see the rejection of claims 3 and 12, respectively.

4. Claims 26 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reimer et al. (U.S. Patent No. 5,553,221) in view of Menard et al. (U.S. Patent No. 6,061,056).

Referring to claim 26, Reimer discloses all of the limitations in claim 24, as well as extracting features from the video content (see the rejection of claim 24), but fails to teach taking into account preferences of a user of the query processing method.

Menard discloses a system which captures audio, video and closed captioning text data (similar to Reimer's capture and digitizer component 304), which allows a user to make an SQL type query to extract video, which takes into account the preferences of a user (see Column 4, Lines 63-65 and Column 6, Lines 28-56).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the capture system 304, as taught by Reimer, using the viewer preference capture system, as taught by Menard, for the purpose of allowing

filtering and querying capability of live broadcasts and multimedia databases (see Column 3, Lines 16-20 of Menard).

Referring to claim 53, see the rejection of claim 26.

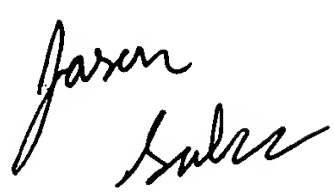
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Salce whose telephone number is (703) 305-1824. The examiner can normally be reached on M-Th 8am-6pm (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason P Salce
Patent Examiner
Art Unit 2611



May 6, 2005